

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 10-36

Introduced by Council President Boniface at the request of the County Executive
Legislative Day No. 10-24 Date December 7, 2010

AN EMERGENCY ACT to repeal and reenact, with amendments, Section 29-1, Harford County Sheriff's Office Pension Plan, of Chapter 29, Harford County Sheriff's Office Pension; to repeal and reenact, with amendments, Section 1.3 Election By Certain Participants To Transfer To The Law Enforcement Officers' Pension System Effective July 1, 2006, Section 1.6 Applicability, Section 1.8 Definitions, Section 2.1 Participation Requirements, Section 3.4 Special Rules for Service Credit, Section 5.4 Disability Benefits, Section 5.6 Maximum Limitation on Benefits, Section 5.8 Death Benefits, Section 6.3 Minimum Distribution Rules, Section 6.5 Eligible Rollover Distributions and Section 9.1 Right to Amend, of the Sheriff's Office Pension Plan as incorporated by reference in Chapter 29, Harford County Sheriff's Office Pension, all of the Harford County Code, as amended; to make various conforming changes in accord with Section 38-101(d), 38-102 and 38-103(d) of the State Personnel and Pensions Article of the Annotated Code of Maryland; to enhance the surviving spouse annuity provision under Section 5.8(b)(1)(iv); to make an adjustment to the frequency of recertification for members receiving disability benefits; and generally relating to the technical corrections and re-codification for IRS and state law compliance of a pension plan for certain law enforcement and correctional employees of the Sheriff's Office.

By the Council, December 7, 2010

Introduced, read first time, ordered posted and public hearing scheduled

on: January 4, 2011

at: 6:30pm

By Order: Barbara J. O'Connor, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 4, 2011, and concluded on January 4, 2011.

Barbara J. O'Connor, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

WHEREAS, the County desires to amend the Harford County Sheriff's Office Pension Plan to reflect changes required by the Internal Revenue Service; and

WHEREAS, the County desires to amend the Harford County Sheriff's Office Pension Plan to permit the Plan Administrator to make certain Internal Revenue Service compliance changes without the need for an ordinance.

NOW, THEREFORE,

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Section 29-1, Harford County Sheriff's Office Pension Plan, of Chapter 29, Harford County Sheriff's Office Pension, and Section 1.3 Election By Certain Participants To Transfer To The Law Enforcement Officers' Pension System Effective July 1, 2006, Section 1.6 Applicability, Section 1.8 Definitions, Section 2.1 Participation Requirements, Section 3.4 Special Rules for Service Credit, Section 5.4 Disability Benefits, Section 5.6 Maximum Limitation on Benefits, Section 5.8 Death Benefits, Section 6.3 Minimum Distribution Rules, Section 6.5 Eligible Rollover Distributions and Section 9.1 Right to Amend, of the Sheriff's Office Pension Plan as incorporated by reference in Chapter 29, Harford County Sheriff's Office Pension, all of the Harford County Code, as amended, be, and they are hereby, repealed and reenacted, with amendments, all to read as follows:

Chapter 29. Harford County Sheriff's Office Pension

§ 29-1. Harford County Sheriff's Office Pension Plan.

[The Harford County Sheriff's Office Pension Plan as amended by repealing and reenacting with amendments to Sections 1.7, Definitions, 5.6, Maximum Limitation on Benefits, and 6.4, Eligible Rollover Distributions, is incorporated herein and adopted by reference in its entirety as though it were fully stated herein.]

THE HARFORD COUNTY SHERIFF'S OFFICE PENSION PLAN IS HEREBY AMENDED BY REPEALING AND REENACTING, WITH AMENDMENTS, SECTION 1.3 ELECTION BY CERTAIN PARTICIPANTS TO TRANSFER TO THE LAW ENFORCEMENT OFFICERS'

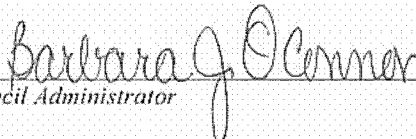
1 PENSION SYSTEM EFFECTIVE JULY 1, 2006, SECTION 1.6 APPLICABILITY, SECTION 1.8
 2 DEFINITIONS, SECTION 2.1 PARTICIPATION REQUIREMENTS, SECTION 3.4 SPECIAL
 3 RULES FOR SERVICE CREDIT, 5.4 DISABILITY BENEFITS, SECTION 5.6 MAXIMUM
 4 LIMITATION OF BENEFITS, SECTION 5.8 DEATH BENEFITS, SECTION 6.3 MINIMUM
 5 DISTRIBUTION RULES, SECTION 6.5 ELIGIBLE ROLLOVER DISTRIBUTIONS, AND
 6 SECTION 9.1 RIGHT TO AMEND, AND THE PLAN IS INCORPORATED HEREIN AND
 7 ADOPTED BY REFERENCE IN ITS ENTIRETY AS THOUGH IT WERE FULLY STATED
 8 HEREIN.

9 Section 2. And Be It Further Enacted that any changes to the Harford County Sheriff's Office
 10 Pension Plan that are for the purposes of bringing the Plan into compliance with the rules and
 11 regulations of the Internal Revenue Service and do not significantly impact the financial obligations
 12 of the County to the Plan may be adopted by the affirmative vote of a majority of the Trustees of the
 13 Plan.

14 Section 3. And Be It Further Enacted that the changes to the Harford County Sheriff's Office
 15 Pension Plan made through this Act, since it affects the ability to retain public safety officers, shall be
 16 deemed an emergency and shall take effect on the date they are signed by the County Executive.

EFFECTIVE: January 11, 2011

*The Council Administrator does hereby certify that
 fifteen (15) copies of this Bill are immediately available for
 distribution to the public and the press.*


 Council Administrator

HARFORD COUNTY BILL NO. 10-36

Brief Title Sheriff's Office Pension Plan

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. O'Connor
Council Administrator

Date January 4, 2011

ENROLLED

R. Billy Bonham
Council President

Date January 4, 2011

BY THE COUNCIL

Read the third time.

Passed: LSD 11-1

Failed of Passage: _____

By Order

Barbara J. O'Connor
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 5th day of January, 2011 at 3:00 p.m.

Barbara J. O'Connor
Council Administrator



BY THE EXECUTIVE

David R. Craig
COUNTY EXECUTIVE

APPROVED: Date January 11, 2011

BY THE COUNCIL

This Bill No. 10-36, having been approved by the Executive and returned to the Council, becomes law on January 11, 2011.

EFFECTIVE DATE: January 11, 2011

Barbara J. O'Connor
Barbara J. O'Connor
Council Administrator